



# IL HIE Authority Data Security & Privacy Committee - Governance & Duties

Feb. 8, 2012

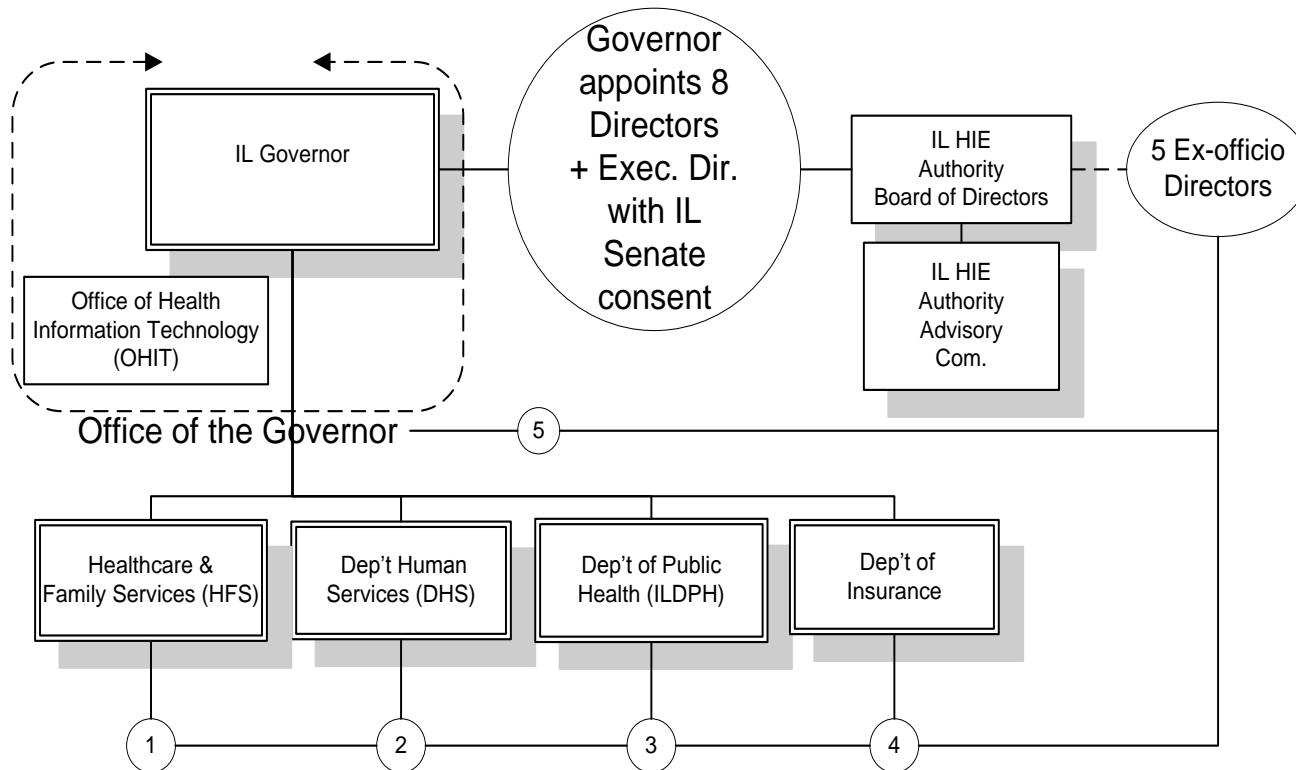
# Overview

- IL HIE Authority enabling legislation
- Authority structure
- ILHIE structure & services (conceptually)
- Duties of the Authority
- Powers of the Authority
- Protection of patient privacy & security
- Formation of Security & Privacy Committee
- Duties of the Committee
- Powers of the Committee
- Procedures of the Committee

# IL HIE Authority: Formation

- *Illinois Health Information Exchange and Technology Act* (“**Act**”) became IL law July 27, 2010
  - Created the IL Health Information Exchange Authority (“**Authority**”) “as an instrumentality and an administrative agency of the State of Illinois”
  - Calls for the establishment of the Illinois Health Information Exchange (“**ILHIE**”)
  - Identifies the purposes, duties and powers of the Authority and the ILHIE

# HIE Authority Directors (9 + 5)



# Governance: Authority Appointees

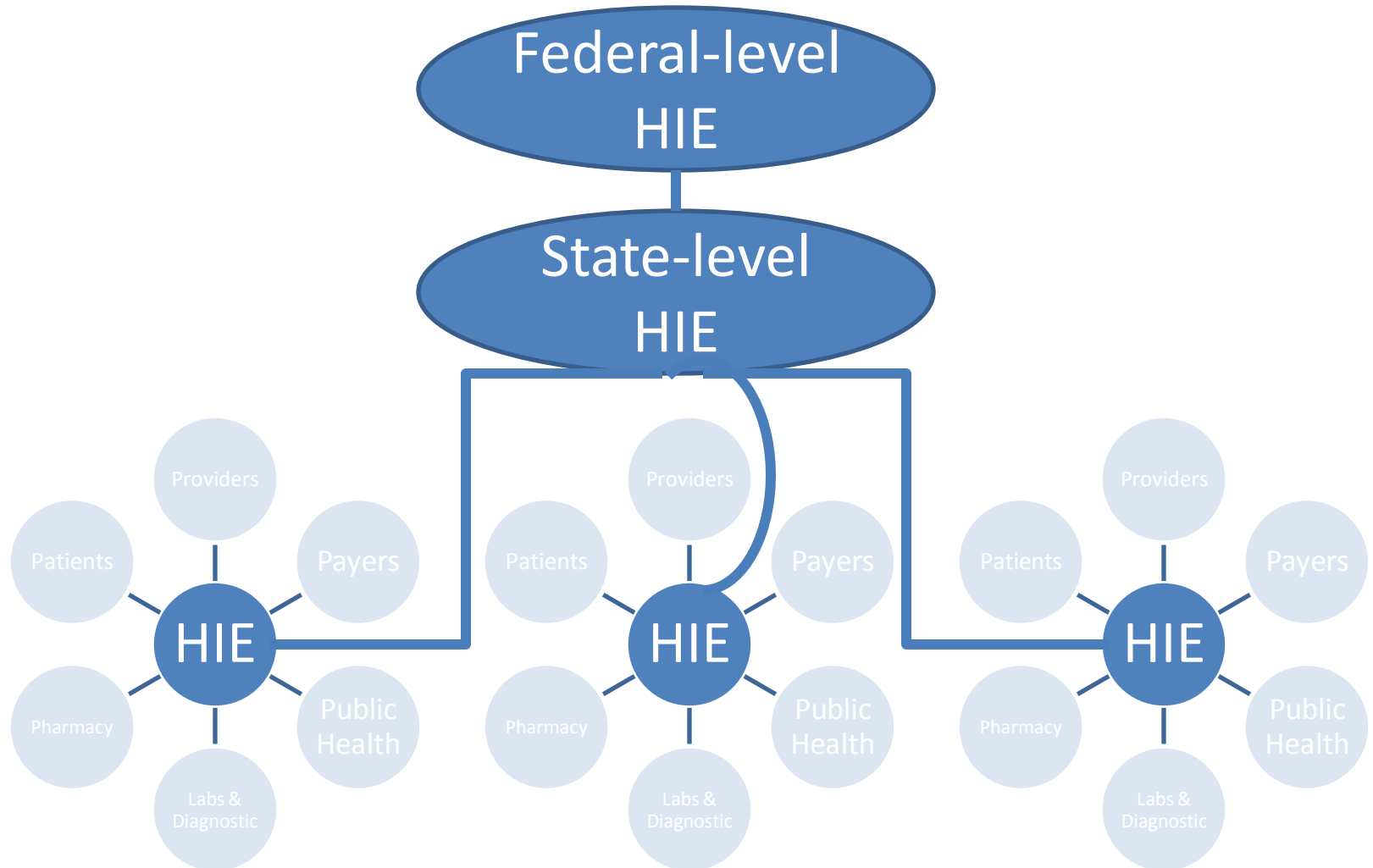
- Named by Governor 2/7/11; submitted to IL General Assembly 2/16/11
- Full term of office: 3 years, renewable
- Staggered terms, for initial Appointees:

3-year term:	Nancy Newby, PhD
	Cheryl R. Whitaker, MD, MPH, FACP
2-year term:	David Holland
	William Kobler, MD
	Nicholas E. Panomitros, DDS, MA, JD, LLM
1-year term:	Bechara Choucair, MD
	Mark Neaman, MHA
	R. Bruce Wellman, MD

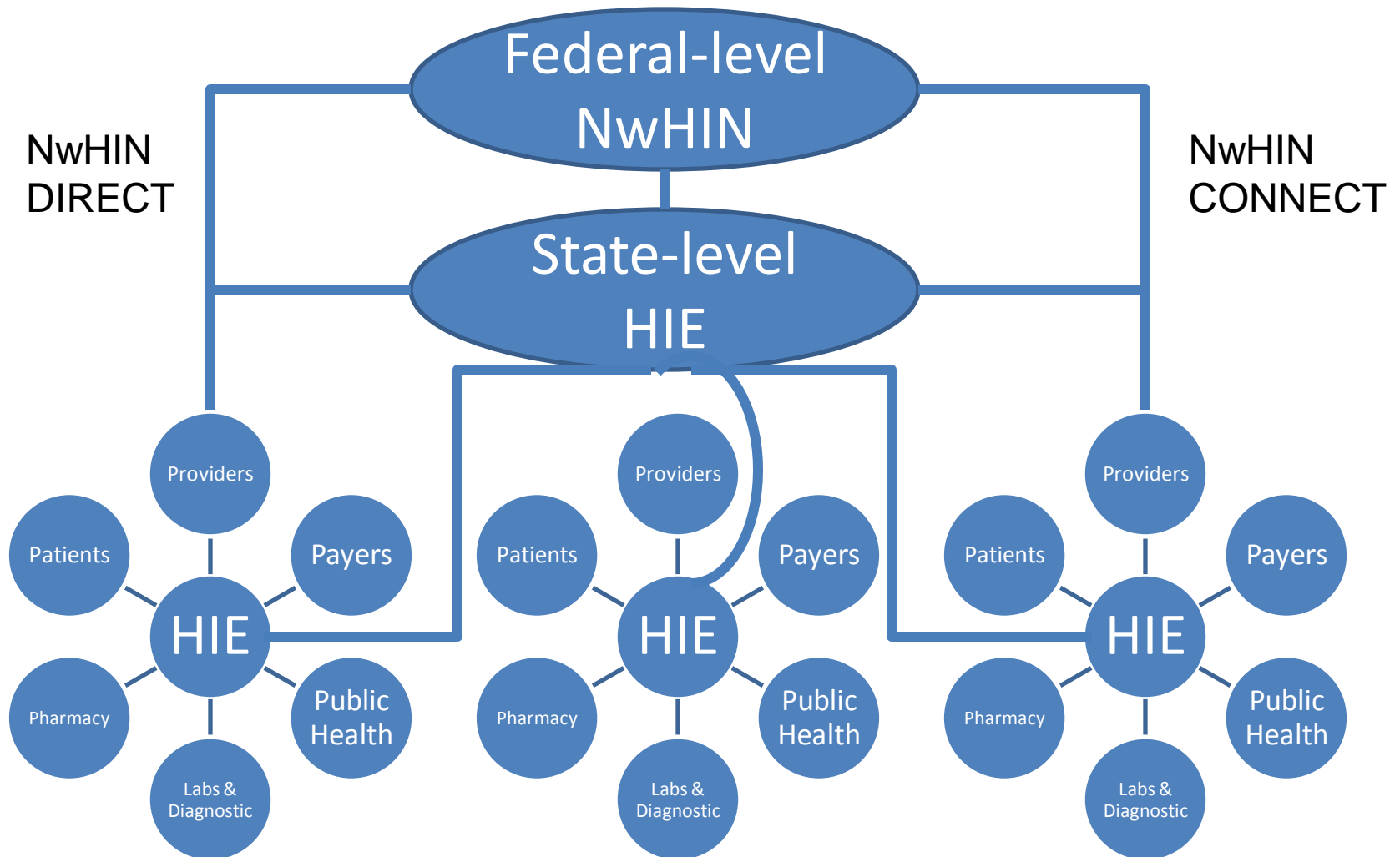
# HIE concept: Participants



# HIE concept: Federated (basic)

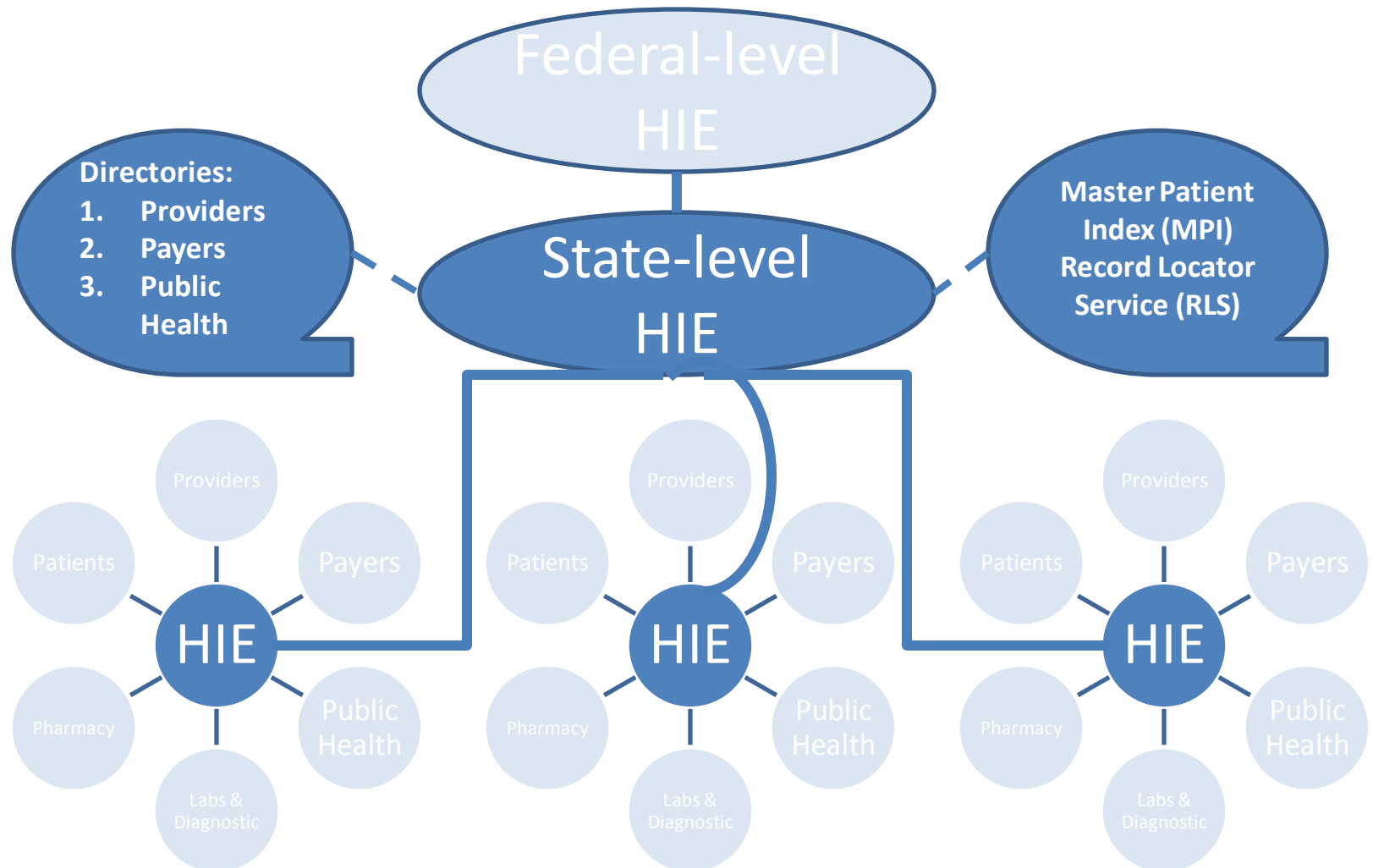


# HIE concept: Federated (multi-layer)

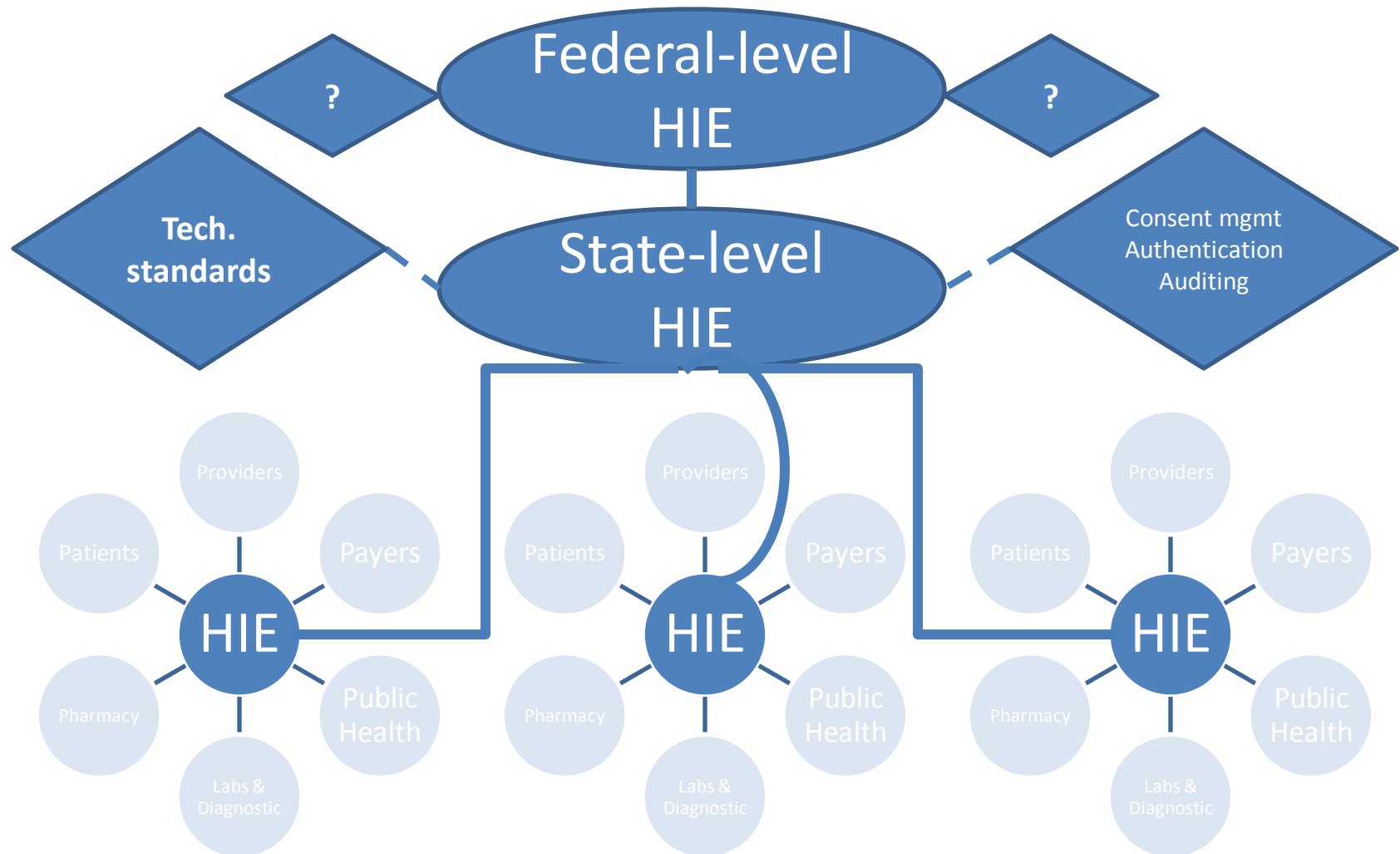




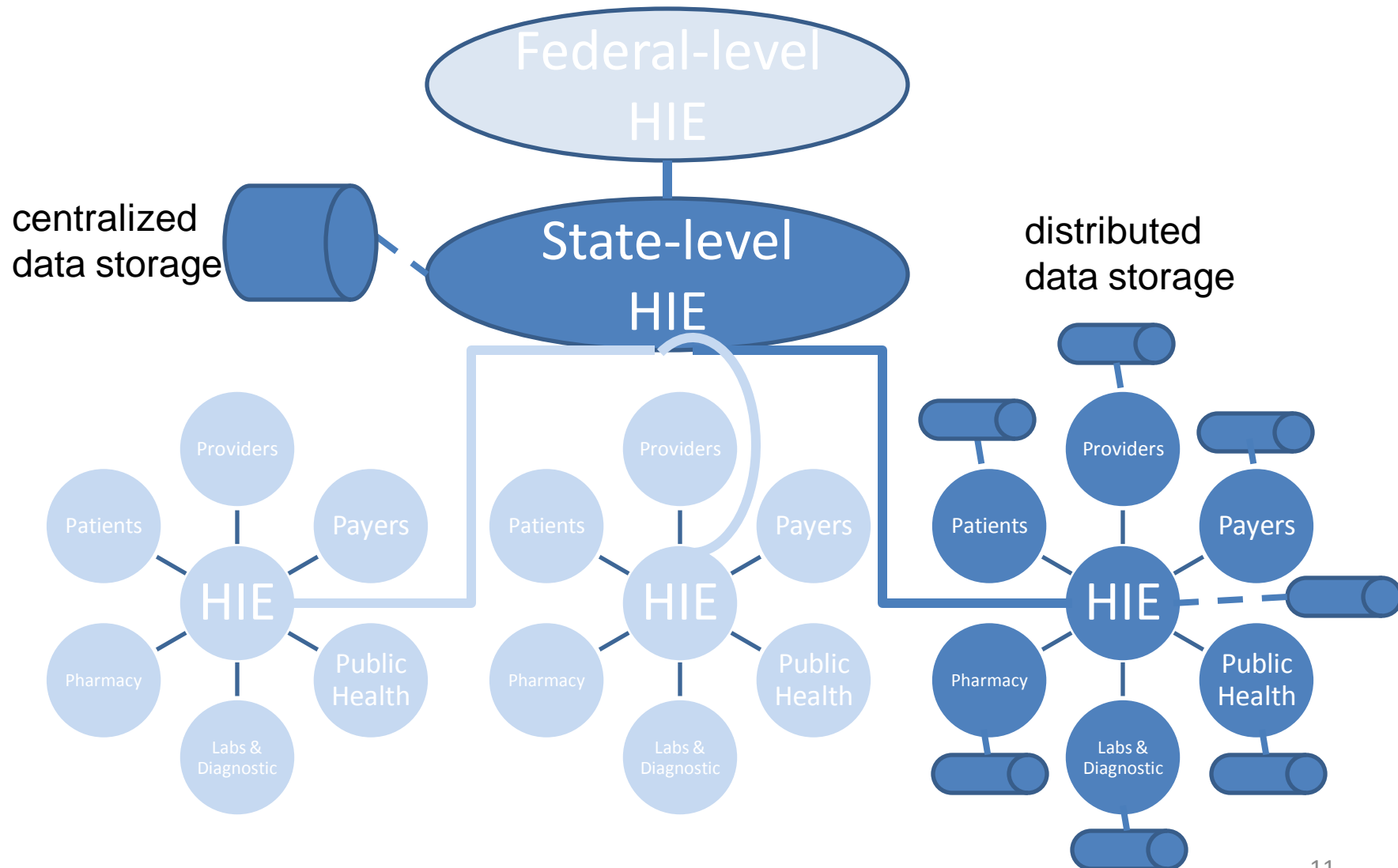
# HIE concept: Centralized Core Services



# HIE concept: Centralized Standards



# HIE concept: Clinical Data Storage



# Authority Duties (6 “musts”)

## 1. NETWORK

- Establish and operate a statewide HIE using secure systems and processes
- create and administer the ILHIE

## 2. STANDARDS

- Establish and adopt standards for the use of health information and participation in the HIE
- Establish minimum standards for accessing the HIE and enforce compliance

## 3. RESEARCH

- Identify barriers to the adoption of electronic health records (EHR)

## 4. PROMOTION/EDUCATION/OUTREACH

- Foster the widespread adoption of EHR and participation in the statewide HIE
- Make the results of research regarding barriers available on its website
- Prepare educational materials about the benefits of EHR, HIE and safeguards

## 5. PUBLIC HEALTH

- Coordinate with Illinois Dept of Public Health to further collection of information for public health purposes

## 6. ADVISORY COMMITTEE

- Appoint an Advisory Committee

# Authorities Powers (“mays”)

## RULEMAKING

- Conduct rulemaking proceedings in accordance with the Illinois Administrative Procedure Act

## ENFORCEMENT

- suspend, limit or terminate right to participate in IL HIE
- seek all remedies allowed by law

## ACCESS TO IL STATE DATA

- adopt standards for HIT systems and products used by State agencies
- obtain patient-specific data from State agencies

## INSTITUTIONAL REVIEW BOARD (IRB)

- Appoint or designate an institutional review board to approve requests for research

# Protection of patient privacy & security

- “ILHIE shall be an entity operated by the Authority to serve as a State-level electronic medical records exchange providing for the transfer of health information, medical records, and other health data **in a secure environment.**”
- “The Authority shall create and administer the ILHIE using information systems and processes that are **secure**, are cost effective, and meet all other relevant **privacy and security** requirements under State and federal law.”
- “The Authority shall establish minimum standards for accessing the ILHIE to ensure that the appropriate **security and privacy protections** apply to health information, consistent with applicable federal and State standards and laws.”

# Formation of ILHIE Data Security & Privacy Committee

- By resolution of Authority Board, Dec. 1, 2011
- Chair: Nicholas Panomitros, DDS, MA, JD, LLM
- Size: minimum of 3
- Members: selected by the Chair
- Operating rules &  
procedures: adopted by the Chair



# Committee Duties

- “The ILHIE Data Security and Privacy Committee shall serve in an **advisory capacity** to the Board on the policies of the Board with respect to the **use and protection of health information, medical records, and other health data in the possession or control of the ILHIE.**”
- “The Committee’s role is to review, evaluate and recommend **ILHIE data privacy and security policies**, and to oversee the development of new ILHIE data privacy and security policy recommendations with appropriate collaboration with State of Illinois stakeholders, policy developers and implementers.”



# Committee Powers

The Committee may in its discretion, among other acts:

- solicit subject matter expert and stakeholder testimony on selected issues;
- document, track and maintain a list of relevant federal and state HIE and privacy and security laws that affect or may affect HIE privacy and security policies in Illinois, including law harmonization;
- propose HIE privacy and security policy priorities; and
- recommend HIE privacy and security policies for adoption as regulations by the Authority or for legislative action by the Illinois General Assembly.

# Governance: Com. Procedures

## *Open Meetings Act*

- Authority meetings open to the public
  - Special procedures for non-public executive sessions
- 48 hours advance prior posting of meeting agenda
- Publication of meeting minutes
- Covered “meetings”
  - more than 2 voting members discussing Authority business
  - Extended email exchanges among Board members (e.g. “reply all”) can constitute a covered “meeting”
- Violation of OMA may result in invalidation of decisions made during meeting, and fines

# Governance: Com. Procedures

## *Public Comment; Ethics Training*

- Public Comment
  - ❖ Board-established procedure
    - Sign-in sheet; 3 mins. per speaker
  - ❖ Invited Testimony
- Ethics Training
  - ❖ annual ethics training

# For More Information



Additional information regarding the ILHIE:

*[www.hie.illinois.gov](http://www.hie.illinois.gov)*